

UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/701,587 11/30/2000		Hans Peter Rath	49091	5855	
26474	7590	06/06/2002			
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1350 CONNI WASHINGT		AVENUE, N.W. 20036	LU, C CAIXIA		
				ART UNIT	PAPER NUMBER
				1713	4
				DATE MAILED: 06/06/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Cabia Lu			Applicati n l	No.	Applicant(s)	WY 4				
Examiner Caixia Lu	. ,		09/701,587		RATH, HANS PETER					
Caixia Lu		Office Action Summary								
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edonoisions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filled above, the mainting date of this communication. If NO period for reply is specified above, the maximum statetory period will apply and will expire SU (6) MONTHS from the mailing date of this communication. Failure to reply within the set or cardended period for reply will, by statutory minimum of thirty (20) days will be considered timely. If NO period for reply is specified above, the maximum statetory period will apply and will expire SU (6) MONTHS from the mailing date of this communication. Failure to reply within the set or cardended period for reply will, by statutor is provided by the Office later than three moenths after the mailing date of this communication, even if timely filled, may reduce any veriod patient term adjustment. Set 37 CFR 1.740 respired to the mailing date of this communication, even if timely filled, may reduce any very reduce any very reply reduced any reduced any set of the communication of the mailing date of this communication, even if timely filled, may reduce any very reduced any state of the communication is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-10 is/are allowed. 6) Claim(s) 1-10 is/are allowed. 6) Claim(s) 1-10 is/are allowed. 7) Claim(s) 1-10 is/are allowed. 8) Claim(s) 1-10 are subject to restriction and/or election requirement. Application Papers 9) The drawing(s) filled on 1-10 is/are allowed. 10 The drawing(s) filled on 1-10 is/are allowed. 11 approved, corrected drawing correction filled on 1-10 is/are allow			Caixia Lu		1713					
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be variable under the provisions of 3 FCR 1.138(a). In role event, however, may a reply be timely filed after 51k (5) MoNTHS from the mailing date of this communication. If the period for reply specified dove is less than they (3) days, a reply within the stateory minimum of theiry (30) days will be considered timely. Provided the period for reply specified dove is less than they (3) days, a reply within the stateory minimum of theiry (30) days will be considered timely. Provided they have the specific of the provided of the communication of the period for reply veil, by datute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office lase than three months after the mailing date of this communication, even if timely filed, may reduce any carried patient term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) This action is non-filinal. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 10 [s/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are ejected. 7) Claim(s)	• •									
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Attachment(s)	Attachment	(s)	,							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	2) Notic	e of Draftsperson's Patent Drawing Review (PTO-948)	5)	Notice of Informal P						

Application/Control Number: 09/701,587

Art Unit: 1713

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-9, drawn to a process of polyisobutene preparation.

Group II, claim(s) 10, drawn to a polyisobutene.

- 2. The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the common technical feature, polyisobutene of Groups I and II, comprises the same polyisobutene as that of the prior art, e.g. Rath (US 5,408,018). As the recited polyisobutene does not make a contribution over the prior art, i.e. the special technical feature(s) is anticipated by or obvious in view of the prior art, unity of invention is lacking and restriction is appropriate.
- 3. A telephone call was made to Attorney Herbert Keil on May 23, 2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

Art Unit: 1713

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Caixia Lu whose telephone number is (703) 306-3434. The examiner can normally be reached on 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (703) 308-2450. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1193.

Caixia Lu, Ph.D.

Examiner

May 29, 2002